

February 27, 2014

Janet Johnson, Clerk  
*Supreme Court of Arizona*  
1501 W. Washington Street  
Room 402  
Phoenix, Arizona 85007-3329

**RE:   Petition to Amend Rule 67, Arizona Rules of Civil Procedure  
R-13-0044**

Dear Justices:

I write in support of the Petition to Amend Rule 67, Arizona Rules of Civil Procedure, R-13-0044.

My contact information is:

Carl A. Piccarreta, Esq.  
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I have read and am in agreement with the Petition. Despite my total agreement, I do want to emphasize my disagreement with any Rule -- current Rule 67 (d-f) -- that has the effect of potentially denying access to our courts. The current Rule, amongst problems, does not provide sufficient guide for our Superior Court Judges allowing for inconsistent applications of the Rule, increased expense to litigants and unnecessary use of scarce court resources though increased litigation. The current Rule allows Superior Court Judges to declare the Rule unconstitutional (subject to Thiele v. City of Phoenix) or guess how to apply such standards as “strict proof”.

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In sum, the existing Rule results in the unnecessary use of court time, makes litigation more expensive and allows the denial of access to our courts.

I urge your adoption of the Petition.

Sincerely,

PICCARRETA DAVIS PC

Carl A. Piccarreta

CAP/bb